



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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MARIA JIMENEZ, on behalf of Emily Morel,	:	07 Civ. 9914 (SHS)
Plaintiff,	:	
-against-	:	<u>ORDER</u>
MICHAEL J. ASTRUE, Commissioner of Social Security,	:	
Defendant.	:	

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SIDNEY H. STEIN, U.S. District Judge.

A review of the Court's records indicates that a complaint was filed in this case on November 5, 2007. As of today, no proof of service of the summons and complaint has been filed with this Court. Rule 4(m) of the Federal Rules of Civil Procedure provides:

If service of the summons and complaint is not made upon a defendant within 120 days after the filing of the complaint, the Court, upon motion or on its own initiative after notice to the plaintiff, shall dismiss the action without prejudice as to that defendant or direct that service be effected within a specified time; provided that if the plaintiff shows good cause for the failure, the Court shall extend the time for service for an appropriate period.

The plaintiff is directed to serve the summons and complaint on or before April 18, 2008, or show good cause, in writing, why such service has not been made. Should plaintiff fail to comply with this Order, this case will be dismissed for failure to prosecute pursuant to Rule 41(b) of the Federal Rules of Civil Procedure.

Dated: New York, New York  
March 26, 2008

SO ORDERED:

A handwritten signature in black ink, appearing to read "Sidney H. Stein".

Sidney H. Stein, U.S.D.J.